

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of the Application of

Epicus Communications Group, Inc.

For Special Temporary Authority to Provide Re-sold Interstate
and International Telecommunications Services

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) **File No. ITC-T/C-2005__**

) **WC Docket No. 05-359**
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Pursuant to Section 214 of the Communications Act, as amended, 47 U.S.C. § 214, and Sections 63.04 and 63.18 of the Commission's Rules, 47 C.F.R. §§ 63.04, 63.18, Epicus Communications Group, Inc. ("**ECG**" or "**Applicant**"), by its attorneys, hereby respectfully requests special temporary authority to continue to provide re-sold interstate and international telecommunications services pending approval of its application for transfer of control.

In support of this Application, Applicant states as follows:

SERVICES PROVIDED

ECG offers small businesses and residential consumers an integrated set of telecommunication products and services, including local exchange, local access, domestic and international long distance telephone, data and dial up access to the Internet.

BACKGROUND

On October 25, 2004, ECG and its operating subsidiary, Epicus, Inc. ("**Epicus**"), filed for relief under Chapter 11 of the U.S. Bankruptcy Code in the U.S. Bankruptcy Court for the Southern District of Florida. Epicus was an active reseller of local and long distance

telecommunications services. The Bankruptcy Court confirmed a plan of reorganization that called for the transfer of the assets and business operations of Epicus to a reorganized ECG. That plan of reorganization also provided for a transfer of control of ECG through a reorganized capital structure.

On December 7, 2005, ECG and Epicus consummated the transfer of assets and reorganized capital structure pursuant to the order confirming the plan of reorganization (the “**Closing**”). Although the Applicants obtained the approvals of the applicable state regulatory agencies prior to the Closing, the Applicants did not obtain the approval of the FCC pursuant to Section 214. ECG and Epicus have requested that the FCC approve the transfer of control *nunc pro tunc* to December 7, 2005.

REQUEST FOR SPECIAL TEMPORARY AUTHORITY

As a part of the Closing, new funding was provided to ECG to provide working capital for ongoing operations. Without the new funding, it is likely that the Applicants would have quickly exhausted their financial resources and would have ultimately ceased operations.

The transfer of customers from Epicus to ECG had no adverse impact on customers. ECG is providing the same local and long distance telecommunication services to former customers of Epicus. Customers have continued to receive their existing services at the same rates, terms, and conditions. The customers experienced a seamless transition of service providers.

In addition, the industry and the market benefitted from the continued operations of ECG. The plan of reorganization was designed to create a heightened level of operating efficiency which generally will serve to enhance the overall capacity of ECG to compete in the marketplace and to provide telecommunication services to consumers at competitive rates. As stated above, delaying consummation of the plan of reorganization likely would have exhausted the then-

existing operating funds and the entities would have ultimately ceased operations. By consummating the reorganization, the investors were able to infuse additional capital and enable continued operations. The reorganization maintained the existence of an operator in the industry and increased competition in the telecommunication markets as a result of ECG's strengthened competitive position.

CONCLUSION

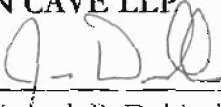
For the reasons stated herein, Applicant respectfully requests that the FCC grant this application for special temporary authority.

DATED this 3rd of February, 2006.

Respectfully submitted,

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By



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